

US DISTRICT COURT DISTRICT OF HAWAII CM/ECF Guide

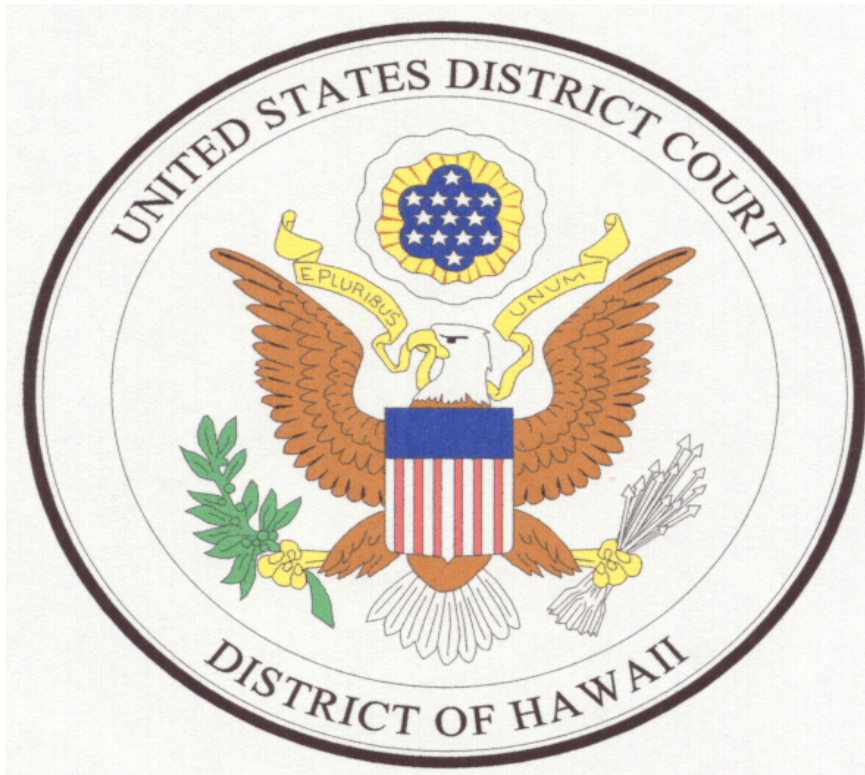


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GETTING STARTED WITH CM/ECF

Welcome! The District Court for the District of Hawaii permits Registered Participants to file documents with the court over the Internet. This on-line user manual contains procedures and technical guidance that should make the transition to electronic filing go smoothly. The policies and procedures referenced govern electronic filing in this district but may be changed by a judicial officer if deemed necessary.

Electronic submission of a document through the ECF (Electronic Case Filing) System constitutes the filing of a document for all purposes pursuant to the Federal Rules of Civil and Criminal Procedure and the Local Rules of this court. This constitutes an entry of the document on the docket kept by the clerk under Fed.R.Civ.P. 58 and 79.1.

Upon filing of a document, an entry is created on the court's docket by the filing party. The clerk's office will, when necessary and appropriate, modify the docket entry description to comply with the court's quality control standards. A modification notation will be made in the docket text.

Although parties can file documents electronically 24 hours a day and seven days a week, attorneys are strongly encouraged to file all documents between 8am and 5pm, Hawaii Standard Time.

Filing a document electronically does not alter filing dates.

Registering for CM/ECF

All parties who wish to file documents and/or receive documents electronically must complete the CM/ECF registration form (found on the court's website) and return the form to the clerk's office. Those wishing to file documents must attend court sponsored training or demonstrate that they have received training from another federal judicial district. If a party has received training in another federal district, they must read and abide by all orders, rules, and administrative procedures governing the use of logins and passwords and the electronic filing of documents in the CM/ECF system of the United States District Court for the District of Hawaii.

Registering for PACER

Public Access to Court Electronic Records (PACER) is an electronic public access service that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts from the U.S. Party/Case Index. PACER is a service of the United States Judiciary. The PACER Service Center is run by the Administrative Office of the U.S. Courts. Parties using PACER will incur an \$0.08 per page charge, but will not be charged until the user

accrues more than \$10.00 worth of charges in a calendar year. Also the maximum amount a user will be charged per document is \$2.40. To register for a PACER account please go to <http://pacer.psc.uscourts.gov>.

TECHNICAL REQUIREMENTS FOR CM/ECF

Listed below are some of the technical requirements needed for CM/ECF. If you or your IT staff need more assistance please call (808) 541-1890.

Hardware and Software Requirements

Filing documents into CM/ECF system will require the following hardware and software:

- A personal computer running a standard platform such as Windows or Macintosh
- Word Processing software
- PDF (Portable Document Format) conversion software such as Adobe Acrobat
- Internet connection
- E-mail account
- Internet browser such as Netscape Navigator or Internet Explorer
- Court assigned CM/ECF login and password
- Scanner - this may be necessary to image and convert paper documents to electronic PDF format.

Accessing documents through PACER will require:

- A personal computer running a standard platform such as Windows or Macintosh
- Internet connection
- Internet browser such as Netscape Navigator or Internet Explorer
- Adobe Acrobat Reader 4.0 or higher
- PACER assigned login and password

File Size and Limits

ECF will reject any individual file 3 megabytes or larger. Documents created with a word processing software and then “converted” to PDF can be up to 1,000 pages before reaching the 3 megabyte limit. Scanning documents can be problematic since scanning creates a much larger file size. A document that is scanned may only be 25 - 75 pages before reaching the 3 megabyte limit. Consult the scanner documentation or manufacturer’s website or help desk for assistance using your scanner. The court’s IT department will not have information regarding individual scanners.

There are a few ways to check the size of a document before filing:

- Using Adobe Acrobat Reader, open the file and a document summary is provided. One of the characteristics listed is file size. To open the Document Summary dialogue box, simply (when in the document), click FILE>DOCUMENT PROPERTIES>SUMMARY (or hold the control key and the d key down).
- Using Windows Explorer highlight the file name, right click on the file name and select “Properties” . This will open the Document Summary dialogue box.

File sizes may be listed in kilobytes (KB) or megabytes (MB) - 1000 KB = 1 MB.

Scanning

When using a scanner to generate an electronic file, a few guidelines should be used:

- Maximum resolution on scanners should be set no greater than 200 dpi (dots per inch)
- Images should be scanned in black and white only
- Do not scan using OCR. For filing purposes only an image of the document is needed
- Scanned images should be converted to PDF before filing

Creating and Viewing PDF Documents

All pleadings must be filed in portable document format (PDF). Users must have access to software that will allow them to both view and convert word processor documents to PDF.

When selecting the PDF document for filing using the ECF system, users should preview the document for correctness and size of document.

To create a document to a PDF format, use software such as Adobe Acrobat (full package) or FinePrint pdfFactory. The following instructions are for use with Adobe Acrobat or FinePrint and any word processing software:

- Open word processing document to be converted
- Select the ***print*** option (generally found in the File Menu) and in the dialogue box select the option to ***change current printer***. A drop down box with a list of printers is displayed
- Select Adobe PDF Writer or FinePrint pdfFactory
- Choose the ***print*** button. The file will not actually print, the option to save the file as a PDF formatted file will appear.
- Name the file and save as a ***.pdf file*** type

When creating a PDF document avoid using special characters. Typically these are bullets, check boxes and the “section” symbol (i.e. •, ☐ and §). PDFWriter does not always know what to do with these when converting a document. When special characters are converted, the file size of the PDF document increases substantially. Also, do not use tables within a document.

To view a PDF file using Adobe Acrobat:

- Start the Adobe Acrobat program
- Go to File menu and choose Open
- Locate the file to be viewed, click on open and Adobe will load the file and display it on the screen
- Many times, by double clicking on a document, Adobe will open the document automatically. If you use other software, see instructions for details

NOTICE OF ELECTRONIC FILING (NEF)

E-Mail Notification of Filing

After a pleading is electronically filed, the ECF system sends a Notice of Electronic Filing (NEF) to each attorney registered with the court. The NEF provides confirmation that ECF has recorded the transaction and that the pleading is now an official court document.

The Notice of Electronic Filing DOES NOT replace the Certificate of Service (*see Procedural Order*). The NEF displays:

- Date and time of transaction
- Name of Attorney who filed the document
- Docket text and docket entry number assigned
- Names and e-mail addresses of attorneys who were served electronically
- Names and addresses of those who require service by other means

The NEF also provides a link back to the document image.

Individuals who receive electronic notification of a filing are permitted one “free look” at the document by clicking ONCE on the associated hyperlinked document number embedded in the NEF. The filer is also allowed one free look at the document to verify it was properly docketed. The “free look” expires after 15 days. *Double clicking on the document number will negate the free look and PACER charges will apply.*

Options for Receiving the NEF

There are two options for receiving your Notice of Electronic Filing via e-mail. These are:

- Send a Notice for Each Filing. Each document filed creates a Notice of Electronic Filing. Each NEF is sent as a separate e-mail to the recipient immediately after the filing of a pleading.
- Send a Daily Summary Report. One e-mail is sent to the recipient list all links to documents filed the past 24 hours. The e-mail is generated and sent at midnight.

To choose the method of receiving the NEF, in CM/ECF, go to UTILITIES, select MAINTAIN YOUR ACCOUNT, click on E-MAIL INFORMATION.

Printing and Saving the NEF

You may save the Notice of Electronic Filing receipt at the conclusion of your filing transaction by printing it as a PDF document. Do not use the “Save As” under the File Menu, the page is in a webpage format and will not be viewable later.

To save the NEF as a PDF document :

- Click on “FILE” menu and select “PRINT”
- Select Adobe or other PDF writer option from the printer drop-down menu
- Once the PDF writer is selected as the printer, click “OK” or “PRINT”
- Choose location to save your PDF file
- Name the file and “SAVE”

General Information

Signatures

The electronic filing of any document by a Registered Participant shall constitute the signature of that person for all purposes provided in the Federal Rules. Pleadings should indicate the signature of a party by inserting a “/s/” followed by the attorney’s name and place it in the document where the original signature would be utilized in a conventional document. The format should look like:

/s/ Jane Attorney

Exhibits to Electronically Filed Documents

Each exhibit referenced in a pleading, motion, brief or other electronic filing shall be submitted as a separate ECF attachment to the main document, regardless of the size of the file containing the exhibit. *The filer must label each exhibit clearly when attaching in ECF.*

For example, you may be filing a one page motion, with exhibits A (two pages) and B (12 pages). Although the total size of the documents will probably be less than the three megabyte limit, the pleadings must be filed as:

Motion	(main document)
Exhibit A	(first attachment)
Exhibit B	(second attachment)

A party may conventionally file exhibits that are not available in electronic format (e.g. videotapes, maps etc). The clerk’s office will note on the docket receipt of the exhibits in a text-only entry. Please call the court if you have any questions before filing a document with attachments.

Submission of Proposed Orders

All orders should be submitted in a WordPerfect compatible format and e-mailed to the assigned judge’s chambers. **Proposed orders are not to be submitted through CM/ECF.** When sending an order to the court, the e-mail subject line should include the case number, related document number and short title (e.g. CV05-362 Doc #5 Motion to Compel). Orders should not contain a signature line for the judge’s signature, the signature will be affixed by the judge.

E-mail Addresses for Order Submission

Email addresses for each chambers are listed below:

Judge David A. Ezra	ezra_orders@hid.uscourts.gov
Judge Helen Gillmor	gillmor_orders@hid.uscourts.gov
Judge Susan Oki Mollway	mollway_orders@hid.uscourts.gov
Judge J. Michael Seabright	seabright_orders@hid.uscourts.gov
Judge Samuel P. King	king_orders@hid.uscourts.gov
Judge Alan C. Kay	kay_orders@hid.uscourts.gov
Judge Barry M. Kurren	kurren_orders@hid.uscourts.gov
Judge Leslie E. Kobayashi	kobayashi_orders@hid.uscourts.gov
Judge Kevin S. C. Chang	chang_orders@hid.uscourts.gov
Visiting Judges	visit_orders@hid.uscourts.gov

Documents Filed in Error

Any time during the docketing procedure you may stop and make corrections to your electronic filing by using the “Back” Button on your browser. The point of no return is after you have clicked on the “**Submit**” button. Once that is done, you have filed the document. Common errors are:

- Incorrect PDF attached to docket entry
- Selected wrong event type from the menu
- Filed document to incorrect case

If you find you have filed a document in error, please call the clerk’s office at (808)541-1890. The clerk’s staff will review your submission and take the necessary steps to correct the problem. The clerk may enter a “Notice of Corrective Entry” which will go out to all parties and list any corrections that may need to be made.

Available Reports

Reports Option

The Reports Option in ECF provides the user with several report choices. After clicking the Reports hyperlink from the menu bar, ECF will prompt you to login to PACER. Once you are logged in to PACER, you can choose from the following reports:

- Docket Sheet
- Civil Cases
- Judgment Index
- Criminal Cases
- Docket Activity
- Written Opinions

Docket Sheet

Click the Docket Sheet hyperlink and log into PACER. The Docket Sheet report query window will appear. At this point you can enter the case number you would like a docket sheet on and then click “Run the Report”. A docket sheet will appear and you can print or view documents on line (*remember you are being charged \$.08 per page once you log into PACER*).

Civil Cases

The Civil Cases report provides you with the flexibility to query the ECF database to locate cases filed within a specific date range, by Nature of Suit, Cause Code as well as other criteria. When you click on the Civil Cases hyperlink, PACER displays a query screen which allows you to choose the criteria you wish to search by. Enter the criteria and click “Run Report”, you will get a listing of cases that fit the criteria entered.

Judgment Index

The Judgment Index report will allow you to search the ECF system for judgments entered during a date range, against a specific party or in a specific case. When you click the Judgment Index hyperlink, PACER displays a query screen which allows you to choose the criteria you wish to search by. Enter the criteria and click “Run Report”, you will get a listing of cases that fit the criteria entered.

Criminal Cases

The Criminal Cases report provides similar query options as the Civil Cases report. You can query the ECF database to locate cases filed within a specific date range, or status of defendant, such as terminated, pending or fugitive. Enter the criteria, click on “Run Report” and you will get a listing of case that fit the criteria entered.

Most reports in CM/ECF work the same, enter your search criteria, submit the report and you will get a listing of cases matching that criteria.

Transaction Log

Another report you may find helpful is the Transaction Log. You can use this feature to verify that no unauthorized individuals have entered transactions using your login and password. You can also verify that all transactions you entered are reflected in ECF.

From the Utilities screen, click on View Your Transaction Log under Your Account. ECF displays a screen that prompts you to enter a Date Selection Criteria for a Transaction Log Report. Enter a date range and ECF will display a report of all your transactions in ECF that fit within the date range you entered.

SUPPORT FOR CM/ECF

The information contained in this user's manual is only current as of the printing date. The court's website (www.hid.uscourts.gov) is the first place to check for assistance. The website will contain the most up to date information about changes to the Electronic Filing System, any planned outages or problems that may be occurring. There will also be helpful hints and training aids that may assist those new to Electronic Filing.

Support Phone Numbers

Type of Help Sought	Telephone Number
For generic questions about CM/ECF such as how to create PDF documents, electronic filing or hardware issues, please call the PACER Service Center. Hours are 8:00am to 5:00pm CST Monday through Friday.	800-676-6856 210-301-6440
For questions regarding procedural issues, local rules or any problem the PACER Service Center cannot help you with, please call the clerk's office. Hours are 8:00 am to 5:00 pm, Monday through Friday	808-541-1890

EVENT LISTS

CIVIL EVENT LIST

Complaints and other initiating Documents

Amended Complaint
Amended Counterclaim
Amended Crossclaim
Counterclaim
Crossclaim
Intervener Complaint
Third Party Complaint
Fourth Party Complaint

Service Documents

Acknowledgment of Service
Affidavit of Service
Certificate of Service
Service by Publication
Summons Returned Executed
Summons Returned Unexecuted
Waiver of Service Executed
Waiver of Service Unexecuted

Answers

Answers to Complaints
Amended Answer to Complaint
Answer to Complaint (Notice of Removal)
Answer to Writ of Garnishment
Claim
Withdrawal of Claim

Responses and Replies

Affidavit in Opposition to Motion
Affidavit in Support of Motion
Concise Statement of Fact
Declaration
Joinder
Memorandum in Opposition to Motion
Memorandum in Support of Motion
Reply
Response
Response in Opposition of Motion
Response in Support of Motion
Statement in Opposition of Motion
Statement in Support of Motion

Notices

Notice (Other)
Notice of Appearance
Notice of Acceptance w/Offer of Judgment
Notice of Application for Writ
Notice of Change of Address
Notice of Dismissal
Notice of Filing Bankruptcy
Notice of Hearing
Notice of Lis Pendens
Notice of Satisfaction of Judgment
Notice of Substitution

Other Documents

Affidavit
Amended Document (NOT Motion)
Amicus Curiae Appearance
Application for Writ
Bill of Costs
Brief
Corporate Disclosure Statement
Errata
Jury Demand
Pretrial Memorandum/Statement
Report of Parties Planning Meeting
Scheduling Conference Statement
Suggestion of Death

Trial Documents

Agreement for Jury Verdict
Designation of Transcript
Proposed Findings of Fact
Proposed Jury Instructions
Proposed Special Verdict Form
Proposed Voir Dire
Trial Brief
Witness List
Witness Disclosure

Objections

Obj to Designation of Transcript
Obj to Findings and Recommendations
Obj to Report of Arbitrator/Mediator
Obj to Special Masters Order
Obj to Special Masters Report

CIVIL EVENT LIST (con't)

Motions

Alter Judgment
Amend/Correct
Appoint Counsel
Appoint Custodian
Appoint Guardian/Attorney ad Litem
Appoint Receiver
Approve Consent Judgment
Attorney Fees
Bifurcate
Bond
Certificate of Appealability
Certify Class
Change/Transfer Venue
Compel
Confirmation of Sale, Approve Commissioner's Rpt
and Distribute Funds
Consolidate Cases
Continue
Declaration of Mistrial
Declaratory Judgment
Default Judgment
Deposit Funds
Directed Verdict
Disbursement of Funds
Disclosure
Discovery
Dismiss
Dismiss Case as Frivolous
Dismiss/Lack of Jurisdiction
Dismiss/Lack of Prosecution
Disqualify Counsel
Disqualify Judge
Disqualify Juror
Enforce
Entry of Default
Ex Parte Motion
Expedite
Extension of Time to Amend
Extension of Time to File Answer
Extension of Time to File Response/Reply
File Excess Pages
Forfeiture of Property
Hearing
In Limine
Interpleader
Intervene
Issuance of Warrant in rem
Joinder

Judgment based on ADR Settlement
Judgment Debtor Exam
Judgment NOV
Judgment as a Matter of Law
Judgment of Forfeiture
Judgment on the Pleadings
Judgment under Rule 54(b)
Leave to Appeal
Leave to File Document
Miscellaneous Relief
More Definite Statement
New Trial
Order of Sale
Partial Summary Judgment
Permanent Injunction
Preliminary Injunction
Proceed In Forma Pauperis
Produce
Protective Order
Quash
Reassign Case
Reconsideration
Recusal
Refund of Fees Paid Electronically
Release of Bond Obligation
Release of Funds
Remand
Remand to Agency
Remand to Bankruptcy Court
Remand to State Court
Reopen Case
Return of Property
Sanctions
Service by Publication
Set Aside
Set Aside Default
Set Aside Forfeiture
Set Aside Judgment
Set Aside Verdict
Settlement
Sever
Show Cause
Shorten Time
Stay
Strike
Substitute Attorney
Substitute Party
Summary Judgment
Take Deposition
Taxation of Costs

CIVIL EVENT LIST (con't)

Motions (con't)

Temporary Restraining Order
Unseal Case
Unseal Document
Vacate
Withdraw
Withdraw as Attorney
Writ of Mandamus

Appeal Documents

(If you are filing on a 9th Circuit Case, do not file using CM/ECF)

Appeal Transcript Request
Appeal of Magistrate Judge Decision to District Court
Appellants Brief
Appellants Reply Brief
Appellees Brief
Designation of Record on Appeal

EVENT LISTS

CRIMINAL EVENT LIST

Charging Documents

PLEA-RELATED DOCUMENTS

Plea Agreement

Motions and Related Filings

MOTIONS

Acquittal
Amend/Correct
Appeal In Forma Pauperis
Appoint Counsel
Appoint Expert
Bifurcate
Bill of Particulars
Bond
Brady Materials
Certificate of Appealability
Change/Transfer Venue
Compel
Continue
Declaration of Mistrial
Directed Verdict
Disclosure
Discovery
Dismiss
Dismiss/Lack of Jurisdiction
Dismiss/Speedy Trial
Disqualify Counsel
Disqualify Judge
Disqualify Juror
Downward Departure
Early Termination of Probation/Supervised Release
Exclude
Expedite
Exoneration of Bond
Extension of Time to File Document
Extension of Time to File Response/Reply
File Excess Pages
Forfeiture of Property
Handwriting Exemplars
Hearing
In Limine
Inspect
Joinder

Judgment NOV
Judicial Recommendation Against Deportation
Leave to Appeal
Leave to File Document
Medical Exam
Medical Treatment
Miscellaneous Relief
Modify Conditions of Release
New Trial
Order of Competency to Stand Trial
Produce
Protective Order
Psychiatric Exam
Quash
Reconsideration
Recusal
Reduce Sentence
Release from Custody
Revoke
Rule 20 Transfer
Sanctions
Seal Case
Seal Document
Seal Motion
Set Aside Forfeiture
Set Aside Judgment
Set Aside Sentence
Set Aside Verdict
Set Aside Defendant
Sever Counts
Sever Defendants
Strike
Substitute Attorney
Suppress
Unseal Case
Unseal Document

CRIMINAL EVENT LIST (con't)

Motions and Related Filings

MOTIONS

Vacate
Victim Rights
Withdraw Document
Withdraw Plea of Guilty
Withdraw as Attorney
Writ

RESPONSES AND REPLIES

Affidavit in Opposition to Motion
Affidavit in Support of Motion
Memorandum
Reply to Response
Response in Opposition
Response in Support
Statement

Other Filings

WAIVERS

Waiver of Counsel
Waiver of Indictment
Waiver of Preliminary Examination
Waiver of Trial by Jury

SERVICE OF PROCESS

Application for Writ of Habeas Corpus ad Prosequendum
Application for Writ of Habeas Corpus ad Testificandum
Certificate of Service
Judgment Returned Executed
Search Warrant Returned Executed
Search Warrant Returned Unexecuted
Summons Returned Executed
Summons Returned Unexecuted
Warrant Returned Executed
Warrant Returned Unexecuted

CRIMINAL EVENT LIST (con't)

Other Filings (con't)

NOTICES

Notice (Other)
Notice of Attorney Appearance - Def
Notice of Hearing

TRIAL DOCUMENTS

Defendant Brief
Defendant Reply Brief
Designation of Transcript
Exhibit List
Objection to Designation of Transcript
Proposed Jury Instructions
Proposed Voir Dire
Stipulation
Trial Brief
Witness List

APPEAL DOCUMENTS

Notice of Appeal to the 9th Circuit - Conditions of Release
Notice of Appeal to the 9th Circuit - Interlocutory
Designation of Record on Appeal
Transcript Request - Appeal

OTHER DOCUMENTS

Affidavit
Consent to Proceed Before US Magistrate Judge
Financial Affidavit - CJA23
Sentencing Memorandum/Statement
Status Report
Withdrawal of Motion

NOTES
